

**CHAPTER 248.****SUGAR INDUSTRY SPECIAL FUNDS.****ARRANGEMENT OF SECTIONS.****SECTION.**

1. Short title.
2. Establishment of special funds.
3. Financial Secretary to be trustee of special funds.
4. Investment of special funds and exemption of trustee from payment of income tax.
5. Amount to be levied on sugar exporters and paid to Comptroller of Customs.
6. Allocation to special funds of amounts paid under section 5.
7. Power of Governor in Council to vary rates and proportions under sections 5 and 6, and to order a cessation of payments under section 5.
8. Committees to manage the special funds.
9. Regulations.
10. Commencement.

**CHAPTER 248.****SUGAR INDUSTRY SPECIAL FUNDS.**

20 of 1947.  
20 of 1951.

**An Ordinance to make provision for the establishment in respect of the Sugar Industry of a Price Stabilisation Fund, a Rehabilitation Fund and a Labour Welfare Fund and for purposes connected therewith.**

[1ST JANUARY, 1947.]

Cap. 328.

WHEREAS it has been mutually determined between the Government and the British Guiana Sugar Producers' Association, a company limited by guarantee and incorporated on the 13th July, 1942, under the Companies Ordinance, that moneys shall be provided by means of a levy at an agreed rate (which may be varied from time to time as required or discontinued) in respect of sugar manufactured in and exported from the Colony and that such moneys shall be allocated in agreed proportions to and accumulated in special funds, namely a Price Stabilisation Fund, a Rehabilitation Fund and a Labour Welfare Fund:

AND WHEREAS it is expedient that the establishment of the special funds as aforesaid, the payments to be made thereto, and the basis, conditions and procedure for making disbursements out of the said funds, shall be provided for by law:

Be it, therefore, enacted by the Governor of British Guiana, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Sugar Industry Special Funds Ordinance. Short title.

2. For the purposes of this Ordinance there shall be established by the Financial Secretary in the accounts of the Colony the following special funds, namely— Establishment of special funds.

- (a) a Sugar Industry Price Stabilisation Fund;
- (b) a Sugar Industry Rehabilitation Fund; and
- (c) a Sugar Industry Labour Welfare Fund.

3. Subject to the provisions of this Ordinance, the Financial Secretary shall be the trustee of the special funds specified in section 2 of this Ordinance. Financial Secretary to be trustee of special funds.

4. (1) The Financial Secretary may, with the approval of the Governor in Council, invest or place on deposit account any of the moneys of any of the special funds specified in section 2 of this Ordinance, and any interest earned on moneys so invested or deposited shall be placed to the credit of the appropriate special fund. Investment of special funds, and exemption of trustee from payment of income tax.

(2) The Financial Secretary, in his capacity as trustee of the special funds specified in section 2 of this Ordinance, shall be exempt from the payment of income tax under the Income Tax Ordinance. Cap. 299.

(a) subject to the provisions of section 7 of this Ordinance, of sugar shall pay to the Comptroller of Customs a duty which shall be levied at the agreed rate of thirteen dollars and fifty cents on every ton of sugar, manufactured in the Colony prior to the 31st December, 1946, which is exported therefrom. Amount to be levied on sugar exporters and paid to Comptroller of Customs.

(2) The amount to be paid by an exporter of sugar under subsection (1) of this section shall be levied and collected within ninety days after the date of exportation.

(3) In default of payment when due of any amount payable under this section by an exporter of sugar, such amount, together with interest at the rate of six *per centum per annum* from the date the payment became due under subsection (2) of

this section shall, after demand for payment has been made by the Comptroller of Customs, be recovered by the Financial Secretary against the exporter by parate execution.

Allocation to special funds of amounts paid under section 5.

6. The Comptroller of Customs shall pay to the Financial Secretary the amounts paid to him under section 5 of this Ordinance, and the Financial Secretary, subject to the provisions of section 7 of this Ordinance, shall allocate such amounts to the credit of the special funds specified in section 2 of this Ordinance in the agreed proportions hereinafter set out, that is to say—

(a) to the Sugar Industry Price Stabilisation Fund, a proportion equivalent to six dollars on every ton of sugar manufactured and exported;

(b) to the Sugar Industry Rehabilitation Fund, a proportion equivalent to four dollars and eighty cents on every ton of sugar manufactured and exported; and

(c) to the Sugar Industry Labour Welfare Fund, a proportion equivalent to two dollars and forty cents on every ton of sugar manufactured and exported.

Power of Governor in Council to vary rates and proportions under sections 5 and 6, and to order a cessation of payments under section 5.

7. (1) Where it has been mutually determined between the Government and the British Guiana Sugar Producers' Association so to do, the Governor in Council may, by order published in the Gazette—

(a) at any time and from time to time vary the agreed rate specified in subsection (1) of section 5 of this Ordinance;

(b) at any time and from time to time vary the agreed proportions set out in section 6 of this Ordinance;

(c) prescribe that the amount specified in section 5 of this Ordinance shall cease to be levied, collected and paid in respect of sugar exported on or after a date specified in the order. //

(2) Where an order is made under paragraph (a) or (b) of subsection (1) of this section, the rate as varied or the proportions as varied shall have effect as if the varied rate or the varied proportions were specified or set out in subsection (1) of section 5, or in section 6, as the case may be, of this Ordinance.

(3) Where an order is made under paragraph (c) of subsection (1) of this section, the power of the Financial Secretary under subsection (3) of section 5 of this Ordinance to recover any amount payable under that section but not paid before the date specified in the order shall continue to have effect in the same manner and to the same extent as if the order had not been made.

8. (1) The Sugar Industry Price Stabilisation Fund and the Sugar Industry Rehabilitation Fund shall be controlled and administered by a Committee to be appointed by the Governor in Council, and the members of the Committee shall be five persons nominated by the British Guiana Sugar Producers' Association and two public officers.

Committees  
to manage  
the special  
funds.

(2) The Sugar Industry Labour Welfare Fund shall be controlled and administered by a Committee to be appointed by the Governor in Council, and the members of the Committee shall be three persons nominated by the British Guiana Sugar Producers' Association, three persons nominated by the trade unions concerned with the welfare of labour workers in the sugar industry, and two public officers.

(3) The Committee appointed under subsection (2) of this section shall be a body corporate with perpetual succession and a common seal, may sue and be sued in all courts of justice and may hold land without the licence of the Governor in Council.

20 of 1951,  
s. 2.

9. (1) The Committee appointed under subsection (1) of section 8, and the Committee appointed under subsection (2) of section 8 of this Ordinance may, with the approval of the Governor in Council, make regulations to provide for the following matters, that is to say—

Regulations.

(a) the basis and the conditions on which disbursements from the appropriate special fund shall be allowed and authorised, and the procedure which shall govern the making of such disbursements;

(b) the keeping of proper records, and the keeping and rendering of detailed accounts, in relation to the appropriate special fund, and in particular the keeping and rendering of detailed accounts in respect of the portion of the special fund which relates to each exporter of sugar.

(2) The Governor in Council may, with respect to matters not specifically mentioned in subsection (1) of this section, make regulations and prescribe forms for carrying into effect the purposes of this Ordinance, and without prejudice to the generality of the foregoing provision regulations may be made providing for the following matters, that is to say—

(a) the term of office of a member of a Committee, and the circumstances under which such office shall become vacant;

(b) the appointment of a Chairman of a Committee;

(c) the grant of leave of absence to a member of a Committee, and the appointment of another person during such leave;

(d) the quorum required to be present for the transaction of business by a Committee.

Commence-  
ment.

**10.** This Ordinance shall be deemed to have come into operation on the 1st January, 1947.

---